

EASTERN DISTRICT OF NEW YORK

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MARCOS MORGAN,

Appellant,

- against -

GLOBAL AVIATION HOLDINGS and WORLD
AIRWAYS, INC.,

Appellees.

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AMON, Chief United States District Judge.

NOT FOR PUBLICATION
MEMORANDUM & ORDER
13-CV-04224 (CBA)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.
★ FEB 25 2014 ★

BROOKLYN OFFICE

On July 25, 2013, pro se appellant Marcos Morgan filed a notice of appeal from the Bankruptcy Court's May 17, 2013 denial of his proof of claim. (DE # 1.) In its August 28, 2013 scheduling order, this Court required Mr. Morgan to file his opening brief by September 24, 2013. (DE # 3.) On November 19, 2013, Appellees Global Aviation Holdings and World Airways, Inc. informed Mr. Morgan that he failed to comply with this Court's order, and advised him that they would move to dismiss his appeal should he fail to file his opening brief by December 3, 2013. (DE # 4.) Mr. Morgan still has not filed a brief and has provided no excuse to justify his noncompliance with this Court's scheduling order.

This Court finds that Mr. Morgan's failure to timely submit a brief in this appeal is inexcusable. He has failed to prosecute his appeal. It is dismissed with prejudice. See In re Bristol, No. 09-cv-1683, 2010 WL 1223053 (E.D.N.Y. Mar. 24, 2010).

SO ORDERED.

Dated: Brooklyn, New York
February 24, 2014

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s/Carol Bagley Amon

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Carol Bagley Amon
Chief United States District Judge